

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TRISTRATA TECHNOLOGY, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 06-651 (JJF)
ACTIVE ORGANICS, INC., BEAUTY	)	Jury Demanded
NATURALLY, INC., DERMADOCTOR.COM,	)	
INC., and ZIRH INTERNATIONAL CORP.	)	
	)	
Defendants.	)	

**MOTION AND ORDER FOR ADMISSION PRO HAC VICE  
PURSUANT TO LOCAL DISTRICT COURT RULE 83.5**

Pursuant to Local Rule 83.5 and the attached certification, counsel moves the admission pro hac vice of Brian T. Foley of the law firm of McGovern & Associates PC, 14 East 60<sup>th</sup> Street, 6<sup>th</sup> Floor, New York, NY 10022, to represent the plaintiff in this matter.

Dated: May 24, 2007

Respectfully submitted,

/s/Arthur G. Connolly, III  
Arthur G. Connolly, III (#2667)  
CONNOLLY BOVE LODGE & HUTZ LLP  
The Nemours Building  
1007 N. Orange Street  
P.O. Box 2207  
Wilmington, DE 19899  
(302) 658-9141

**ORDER GRANTING MOTION**

IT IS HEREBY ORDERED counsel's motion for admission pro hac vice of Brian T. Foley is granted.

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United States District Judge

**CERTIFICATION BY COUNSEL TO BE ADMITTED PRO HAC VICE**

Pursuant to Local Rule 83.5, I certify that I am eligible for admission to this Court and am admitted, practicing and in good standing as a member of the Bar of the State of New York and the Bar of the State of Connecticut. Pursuant to Local Rule 83.6, I submit to the disciplinary jurisdiction of this Court for any alleged misconduct which occurs in the preparation or course of this action. I also certify that I am generally familiar with this Court's Local Rules. In accordance with Standing Order for District Court Fund effective 1/1/05, I further certify that the annual fee of \$25.00 has been paid ~~G~~ to the Clerk of Court, or, if not paid previously, the fee payment will be submitted ~~C~~ to the Clerk's Office upon the filing of this motion.



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Brian T. Foley  
McGovern & Associates PC  
14 East 60<sup>th</sup> Street, 6<sup>th</sup> Floor  
New York, NY 10022  
(212) 688-9840

Dated: May 21, 2007

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 24, 2007, the foregoing document was served via First-Class U.S. Mail and CM/ECF on the following counsel of record:

Michael Bishop, President Active Organics, Inc. 1097 Yates Street Lewisville, TX 75057	Louis C. Paul, Esq. Louis C. Paul & Associates, PLLC 730 Fifth Avenue, 9 <sup>th</sup> Floor New York, NY 10019
Frederick Wong, President Beauty Naturally Inc. 850 Stanton Road Burlingame, CA 94011-4905	
Mary B. Graham, Esq. MORRIS NICHOLS ARSHT & TUNNELL LLP Chase Manhattan Center 1201 North Market Street, P.O. Box 1347 Wilmington, DE 19899	
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/s/Arthur G. Connolly, III  
Arthur G. Connolly, III (#2667)